

# EXHIBIT B



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*Ex Parte* Reexamination Filing Data - September 30, 2020

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81 <sup>1</sup> .....	14185
a. By patent owner	3954 27.9%
b. by other member of the public	10056 70.9%
c. By order of Commissioner	175 1.2%
2. Number of Filings by discipline	
a. Chemical Operation	3843 27.1%
b. Electrical Operation	5279 37.2%
c. Mechanical Operation	4790 33.8%
d. Design Patents	273 1.9%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr.    No      Fiscal Yr.    No      Fiscal Yr.    No      Fiscal Yr.    No      Fiscal Yr.    No	
1981    78 (3 mos.)    1989    242      1997    380      2005    520      2013    305	
1982    187      1990    297      1998    348      2006    473      2014    355	
1983    186      1991    309      1999    391      2007    600      2015    244	
1984    189      1992    390      2000    312      2008    690      2016    222	
1985    230      1993    359      2001    295      2009    603      2017    191	
1986    232      1994    379      2002    272      2010    697      2018    187	
1987    240      1995    395      2003    394      2011    734      2019    163	
1988    269      1996    413      2004    436      2012    780      2020    198	
4. Number known to be in litigation.....	5428 38.3%
5. Decisions on requests <sup>2</sup> .....	14185
a. No. granted	13082 92.2%
(1) By examiner	12888
(2) By Director (on petition)	194
b. No. denied	1183 8.3%
(1) By examiner	1103
(2) Reexam vacated	80
6. Total examiner denials (includes denials reversed by Director).....	1103
a. Patent owner requester	525 47.6%
b. Third party requester	578 52.4%

<sup>1</sup> Total decisions on requests does not include requests that have been vacated or are pending.<sup>2</sup> The Director granted requests are only granted petitions on denial under 37 CFR 1.515.<sup>3</sup> Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020

7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.7 (mos.)
b. Median pendency	19.3 (mos.)

8. Reexam certificate claim analysis: <sup>3</sup>	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	14%	0%	20.9%	2672
b. Certificates with all claims canceled	3%	10%	0%	13.1%	1668
c. Certificates with claims changes	22%	44%	1%	66.0%	8424

9. Total ex parte reexamination certificates issued (1981 – present) ..... 12764

10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3960
a. All claims confirmed	809	20.4%
b. All claims canceled	396	10.0%
c. Claims changed	2755	69.6%
b. Certificates – 3rd PARTY REQUESTER		8630
a. All claims confirmed	1846	21.4%
b. All claims canceled	1226	14.2%
c. Claims changed	5558	64.4%
c. Certificates – COMMISSIONER INITIATED REEXAM		174
a. All claims confirmed	17	9.8%
b. All claims canceled	46	26.4%
c. Claims changed	111	63.8%

<sup>1</sup> Total decisions on requests does not include requests that have been vacated or are pending.

<sup>2</sup> The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

<sup>3</sup> Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020